

Appl. No.: 09/675,530
Amdt. dated December 29, 2003
Reply to Office action of October 2, 2003

REMARKS/ARGUMENTS

Applicants received the Office Action dated October 2, 2003, in which the Examiner: (1) rejected claims 1, 4, 6, 8-12, and 25 as anticipated by Ackland et al. (US Patent No. 5,987,156); (2) rejected claims 2, 7, 13-16, 18-20, 22, 23 and 27 as obvious over Ackland in view of Bolle et al. (US Patent No. 5,963,656); (3) rejected claims 1, 3, 16, 17, 25 and 26 as obvious over Bolle in view of Fiete et al. (US Patent No. 5,881,182); (4) rejected claim 5 as obvious over Bolle in view of Fiete and Iwasa et al. (US Patent No. 4,600,675); rejected claim 21 as obvious over Bolle in view of Fiete and Brownlee et al. (US Patent No. 6,292,576); and (5) rejected claim 24 as obvious over Ackland in view of Bolle and Brownlee. In this Response, Applicants amend claims 1, 2, 7, 16, 25 and 27. Also, Applicants add claims 28-37. No claims have been cancelled. Therefore, claims 1-37 are pending. Based on the amendments and arguments contained herein, Applicants respectfully request reconsideration and allowance of the pending claims.

§ 102 Rejections

Amended claim 1 requires, among other things, "an interface coupled to the device to receive the transmitted images, wherein the interface is configured to determine if the transmitted images include non-stationary bands." Ackland does not teach an interface configured to determine if the transmitted images include non-stationary bands as required in claim 1. Specifically, Ackland teaches an array of sensing elements 12 wherein a current reference 13 and an amplifier 15 are used for each column of sensing elements 12 (see Fig. 4, col. 3 and col. 4). Due to variations in the performance of each current reference 13 and each amplifier 15, a gain and an offset value may be used to adjust the values for each column of sensors. While applicants do not agree that Ackland teaches an interface configured to determine if the transmitted images include bands, claim 1 has been amended to require non-stationary bands. Applicants submit that the sensing elements 12, the current references 13, and the amplifiers 15 taught in Ackland do not teach or suggest non-stationary bands as required in

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claim 1. For at least this reason, Applicants submit that claim 1 and all claims that depend from claim 1 are allowable.

Amended claim 25 requires "a processing means for determining if the fingerprint image includes non-stationary bands attributable to condition changes during the capturing of the fingerprint image." Ackland does not teach this limitation. Specifically, Ackland teaches that variations in the offset and gain of sensor columns as previously described are due to "variations in the uniformity of processing/manufacturing of the CMOS chip" (see col. 4, lines 3-9). Accordingly, Ackland does not teach bands attributable to condition changes during the capturing of the fingerprint image as required in claim 25. Rather, Ackland teaches that variations in sensor images (e.g., Fig. 3) are due to pre-existing conditions and attributes of the current references 13 and the amplifiers 15 described above. Additionally, Ackland does not teach or suggest non-stationary bands in images as required in claim 25. For at least these reasons, Applicants submit that claim 25 and all claims that depend from claim 25 are allowable.

§ 103 Rejections

Amended claim 1 requires an "interface is configured to determine if the transmitted images include non-stationary bands." Neither Bollo nor Fiete teaches or suggests this limitation. For at least this reason, Applicants submit that claim 1 and all claims that depend from claim 1 are allowable.

Claim 16 was amended, in part, to remove a limitation, "and if so, aborting creation of a fingerprint template," which is believed to be unnecessary. Amended claim 16 requires "determining if the fingerprint images include non-stationary bands." Neither Ackland, Boller, nor Fiete teaches or suggests determining if fingerprint images include non-stationary bands as required in claim 16. For at least this reason, Applicants submit that claim 16 and all claims that depend from claim 16 are allowable.

Amended claim 25 requires a "processing means for determining if the fingerprint image includes non-stationary bands attributable to condition changes during the capturing of the fingerprint image." Neither Bolle nor Fiete teaches or

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suggests non-stationary bands. For at least this reason, Applicants submit that claim 25 and all claims that depend from claim 25 are allowable.

New Claims

Claim 28 requires a "DSP is configurable to capture a plurality of image frames from the camera and detect if a series of the plurality of image frames are duplicate image frames." Applicant cannot find a teaching or suggestion of this limitation in any of the prior art references cited by the Examiner. For at least this reason, Applicants submit that claim 28 and all claims that depend from claim 28 are allowable.

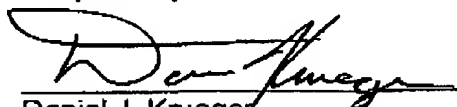
Conclusions

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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